

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING)	
PHARMACY, INC. PRODUCTS LIABILITY)	
LITIGATION)	
-----)	MDL No. 2419
-----)	Dkt. No 1:13-md-2419 (RWZ)
THIS DOCUMENT RELATES TO:)	
))	
Suits Identified in the Attached Exhibits)	
))	

NOTICE OF FILING

Saint Thomas Outpatient Neurosurgical Center, LLC; Howell Allen Clinic, a Professional Corporation; John Culclasure, MD; Debra Schamberg, RN; Specialty Surgery Center, Crossville, PLLC; Kenneth R. Lister, MD; and Kenneth Lister, MD, PC (collectively “Tennessee Defendants”) give notice to the Court and to all parties of the filing of amended exhibits to the Tennessee Clinic Defendants’ Reply to the Plaintiffs’ Steering Committee’s (“PSC”) Response to the Tennessee Clinic Defendants’ Motion to Dismiss for Failure to Comply with Tenn. Code Ann. § 29-26-121 at Dkt. 1180.

The amended exhibits replace Exhibits 1, 2, and 3 of the Tennessee Clinic Defendants’ Reply. In preparing for oral argument on the motion to dismiss, the Tennessee Clinic Defendants identified some inaccuracies in the original exhibits.¹ The amended exhibits correct those inaccuracies. The amended exhibits do not affect the substance of any of the arguments raised in the Reply itself. They merely identify the cases to which each argument applies.

The PSC assents to the filing of the amended exhibits.

¹ For example, the original Exhibit 1 identified the *Barnard* case, No. 1:13-cv-12738 (RWZ), as lacking any certificate of good faith, but a certificate of good faith was filed with an amended complaint. Accordingly, the *Barnard* case was removed from Exhibit 1 and added to Exhibit 2.

Respectfully submitted,

GIDEON, COOPER & ESSARY, PLC

/s/ Chris J. Tardio

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing and copies will be e-mailed or mailed via regular U.S. mail to those participants identified as unregistered this 26th day of June, 2014.

/s/ Chris Tardio

Chris Tardio

² Admitted pursuant to MDL Order No. 1.

³ Admitted *pro hac vice*.